

Professor... (inaudible) ...said there was no exception to this rule.

This is not about censorship. This is about protecting American families which are the foundation of our nation. The networks do not represent the American family or our community values.

Another issue of deep concern is the constant religious bigotry attacks on people of faith, particularly of Christian faith. Again, the networks are at odds with most Americans and the values that made our nation great.

There's a little six-year old girl, who should be home — she should be safe in her home, but every evening a strange man breaks in and sexually assaults her. A nearby policeman is aware of the situation and should protect her, but does little. The little girl is the American family, particularly the children of our great nation.

The strange man that assaults her represents network television and its daily fare of moral toxic waste dumps, propaganda as news and religious bigotry. Sadly, little is being done. Time and the decline of our culture passes swiftly and unabated. The time to act is now. Mr. Powell, member

Commissioners, I respectfully and hopefully ask: will you protect our nation and its families? Thank you and God bless you.

(Applause.)

AUDIENCE MEMBER: Hello. I am Amina...
(inaudible) ...and I'm here with KPFT. And many of you might think that we're suffering from localism, but I just wanted to let you know that we're one of the very few media outlets who are broadcasting this live, on the air, right now. We didn't have any technical difficulties at all.

(Applause.)

And my question is: How can it be allowed for CBS to ban an ad meant to run during the Super Bowl sponsored by Moveon.org? This ban has sparked an outcry from the public of over one million combined voices through e-mail, phone calls, and petitions. The Bush administration is able to have multiple ads run, along with other political ads, and shouldn't what you call a free market truly be free? Meaning that anyone willing to pay your ridiculous prices for their voice to be heard, should really be heard.

Why is it so offensive to hear the truth about the deception of the appointed President? Why is

CBS so fearful of the truth? Is the truth really that scary? CBS banning this ad is a blatant violation of free speech and is an attempt by corporate media to silence dissent. And CBS you have been officially, officially notified. Run the ad.

(Applause.)

AUDIENCE MEMBER: Hi. This is a fake fur coat, and the reason I say that is because of what I'm going to talk about. I'm an animal rescuer, and I love them, and I feed them. I do not wear them.

We have a radio station, KTSA, here in San Antonio, that's our community station. We all tune in to find out everything we need to know, including about animals. It's a public service program with Dr. Dan Kirby, a veterinarian here in town, that does this for the sake of animals. This past week, and this is why I'm here, sir, he was removed from KTSA. He was taken off the air because of an infomercial that paid \$2,000 for that particular hour. We no longer have him on our air to listen to, and we want him back and I'm asking you, call 599-5500, and say we want Dr. Dan Kirby back on KTSA. That's what the listeners want. Thank you, sir.

(Applause.)

AUDIENCE MEMBER: Good evening. My name is Lisa Cortez Walden, and with all due respect, I am not a lovely lady.

(Applause.)

I — I am a doctoral student studying media literacy at the University of Texas at San Antonio. As part of my fellowship I work with local teachers to develop curriculum that incorporates media into their classroom. I am dedicated to teaching people not only how to look at media critically, but to produce and participate in a world where media is increasingly important.

As such, I urge you to turn back this disturbing trend of media deregulation and conglomeration. In order to create a viable local media, our community needs equitable access to equipment, outreach that really reaches out to the community — loc — to the community of local schools, students and independent producers.

Our local media community needs your help. The large media organizations such as Clear Channel have no clear policy for local equitable access. Educators, students and independent film makers are consistently met with insurmoun —

insurmountable obstacles in creating — hearing their voice. Clear Channel simply has no need in fostering a locally responsive media. Thank you very much.

(Applause.)

AUDIENCE MEMBER: Commissioners, I cherish the diversity that's represented tonight. One mentioned she didn't care about a starving child, something that I take pretty seriously. I'm Eric Cooper, I'm Executive Director of our local Food Bank, the San Antonio Food Bank, and we work to provide food to about 320 different nonprofit charities throughout a 16-county region here in southwest Texas. And as some of the poorest counties in the nation, in working to try to meet the needs of those agencies — they feed about 40,000 households per month — it takes a tremendous amount of resources to meet that need. And last year we delivered about 22 million pounds of food valued at about \$36,000,000 worth of grocery products.

We had our shelves stocked by the community and the community responded through many of the appeals that went out through local television stations and radio stations; in particular, this past holiday season with a promotion called Food for San Antonio, which was led by Clear Channel and all of

their properties to bring awareness to childhood hunger and those in poverty.

We also enjoy partnerships with Belo and, and the folks at KENS who raise money significant for our organization equal to United Way. It's these partnerships that are critical for many of the nonprofits we serve to be able to provide what our community needs, and basic needs like food. So, from those who call me to pass on thank yous, I thank them publicly for providing the service they do to our organization in helping us meet the needs for many low-income clients. Thank you.

(Applause.)

AUDIENCE MEMBER: Mr. Powell, ladies and gentlemen, peace officers, thank you so much for staying late. We really appreciate this. I am a stay-at-home mom. I teach my children in a home school. I'm a volunteer and I'm also a veteran, and I am fed up. I'm fed up with the foul language, I'm fed up with the nudity, I'm fed up with the sex that assaults my family on a daily basis. I propose that the FCC bring decency back to our airwaves by restricting that foul language, restricting the nudity, restricting the sex that assaults our families every day and impose harsh

fines and enforce them quickly.

I don't think that I'm in the minority when I say that I'm fed up with this, but the FCC stands at a pivotal point right now. You can choose to continue to permit licentiousness over the airwaves or you can make a positive change and bring decency, decorum and reticence back to television and have a positive influence over our culture today. Thank you.

(Applause.)

AUDIENCE MEMBER: Good evening, ladies and gentlemen and members of the Federal Communications Commission. Thank you for letting me speak at this meeting tonight.

I would like to express my thoughts about the foul language and nudity that is broadcast on television, and the reasons why I want my TV to be unpolluted. My name is Evan Homan (phonetic) and I am 12 years old. I'm a Boy Scout in Troop 410, and I'm home schooled by my mom, and I play the the bagpipes and... (inaudible) ...PacMan.

We have one television in our — in our house, and usually when we turn it on I'm offended by the language, sex, and nudity that I see. In my grandparents' house they have cable; and even though we

have over a hundred channels, it is difficult to find something to watch that does not offend me.

When I watch a movie or show on the TV, I am usually insulted because of the foul language, nudity and the sinful nature of the characters. The reasons I do not want foul speech and nudity on the television are because it affects the way young people think, dress, speak and act, and it is displeasing to my father and mother because they do not want me to act like the characters that we see.

The only nonoffensive channel on TV is PBS because of the neat science, nature and history programs. The things that I would like to be done about the problem of cursing and nakedness are a fine for all the shows that permit sex and foul language and more prog — more programs that are family friendly.

As a side note, I would love to see the old shows like Abbott and Costello, Laurel and Hardy, and the old Batman series on regular and network stations, since we do not subscribe to cable or satellite.

Thank you all for your time, and I look forward to seeing less nudity and hearing less cursing — cursing on the television. Thank you.

(Applause.)

AUDIENCE MEMBER: Hi, my name is Dora Pena. I'm the spearhead of the Texas Chapter of the National Association of Latino Independent Producers. I'm based out here out of San Antonio, and I work with a lot of creative people that include independent producers and music producers as well. And I'm also a concerned viewer and listener.

Ever since I quit my job at a TV station, and I became — I became a stay-at-home mom, I turned off the TV more so I've had more chance to dedicate more time to my writing and producing the things that I want to see on television. So I want the broadcasters to know that there is an independent community producing here in San Antonio, and if you'll just reach out to us and accept some of our programming, you might be surprised at what the audience reaction might be.

I also want to talk about my children and the programming that is not available for them, educational programming. And ever since Madonna said publicly that she didn't let her children watch TV because of the bad influences, I thought that might be a good option. So, please don't make me take away the TV that I grew up with for my kids.

And I think that praising broadcasters for giving to charities or covering local news is like praising my son for taking a bath, because that's something that they should be doing anyway.

(Applause.)

And I love — I love the Amber Alert and I'm really thankful that the Amber Alert, especially because I'm a mother, that the Amber Alert is here, but I think it took a little too long to be implemented to begin with. Thank you

(Applause.)

AUDIENCE MEMBER: My name is Manuel Pena. That was my wife, and y'all see why I love her. But she kind of stole my words about the patting on the back for something you're supposed to be doing. The airwaves are ours. You're supposed to reach out to community, the TV stations and the radio stations, reach out, help us, show support to the Children's Miracle Network, the Salvation Army. So they're patting you on the back for something you're supposed to be doing. You get paid lots of money for our airwaves. I don't get paid to be faithful to my wife, I do it because that's my job. I put food on my kids' back (sic) and I shelter them because that's my job as

a father. I don't expect for a pat on the back, and I don't expect for any money.

Also, what I wanted to say, I'm a teacher here at a high school on the South side of town, which is predominantly Hispanic kids, and it hurts me every day to hear these kids saying they don't care about school, they don't care about getting their degree and they don't — they don't know what's out there for them. I hear young girls saying that their boyfriends are going to support them. They don't care about school. In my opinion, these kids don't have anything to relate to on TV. They love TV, they love radio, but they're not seeing programs that they can relate to. They're not seeing people of their ethnicity that are successful lawyers, doctors, dentists, CEO's, and that's what we need, and that's why local programming — you guys really need to reflect our community. That's all I have to say. Thank you.

(Applause.)

AUDIENCE MEMBER: Good evening Mr. Powell, members of the panel. I'll try to be quick. My name is Matthew Gonzalez. I'm a musician and owner of Bonetree Records, an independent record label in San Antonio.

A few years ago I decided to produce a CD of my band's music, in the process, started the label, and unlike a lot of musicians, I did not overtake this endeavor with visions of overnight success and platinum albums and all the other rock-star excesses.

My goal was simple: To make a living — a modest living, doing something that I love. The CD was recorded and mastered and packaged as professionally as anything on the market.

I contacted your radio stations large and small across the country in the hopes, that like in the past, there'd be a few DJs or program directors who would like it enough to give it a spin or two.

Well, while I did find a few college and public radio stations accommodating, I was almost unilaterally rejected by the corporate stations. And I was told, excuse me — I was told basically, it wasn't that they didn't like it, but that their play lists were too tight for a lone DJ to play a song simply because he or she liked it.

They said that their — many of them said their play lists were predetermined in board meetings, weekly staff meetings and conference calls from

corporate headquarters.

I just want to say, how do corporately-controlled play lists give any democracy to the people? How does this level the playing field for independent record labels who do not have a multi-million dollar promotional machine to buy air time with comp tickets and hundreds of thousands of dollars worth of free goods?

I also want to say that just like the Wal-Marts and Targets are grinding American's small businesses into the ground, your policies will allow media giants like Clear Channel right in step with music industry heavyweights, like Sony music to stamp out the smaller independent music companies with stunning and silencing swiftness. Thank you very much.

(Applause.)

AUDIENCE MEMBER: Hi.

(Spanish.)

For a while when I was back in high school I had aspirations about becoming a journalist until I found out about how the media really works. And once when someone asked me, I told them that I wanted to become a journalist because I felt that it was my responsibility to — to help others understand how

events in the world affect us.

Why I felt this unyielding urge to help others was because I wanted to better the conditions of my community and pop the Westside bubble. That is, the attitude that many of my fellow students have, as a result of negative stereotypes, cultural obligations and a lack of understanding for what's occurring in the real world.

While I was prepping myself towards a life as a college student, many of my friends were preoccupied with trying to figure out how they were going to score their next set of wheels. Only a little more than half of my senior class graduated.

One of the main reasons I feel this occurs too often is a result of low self esteem and a lack of understanding of how much an important role a college education can play in your personal, economic and psychological health. And when you think about it, it's not a farfetched idea to think that, because of your social standing in the mainstream media is often represented with crime, illiteracy, and more kids than you can afford, then maybe there is no alternative lifestyle than the one that is presented to you on a regular basis.

I remember once being laughed at in high school by a sophomore because I still rode the bus as a senior. I told him I was saving money for college. When I said that, he looked at me in shock. College? And I told him, Yeah, aren't you going to college? And he said no. I have to worry about how I'm going to buy a car, how I'm going — how I'm going to pay my bills, and how I'm going to support my family.

The idea that life is nothing more than work, partying and striving toward the glamorous life that is often portrayed on TV is, I'm sure, not the type of lifestyle that any — anyone would want their children's foundations to be placed on. My question to you guys then is why do we keep promoting these kinds of images and these kinds of messages?

(Applause.)

AUDIENCE MEMBER: Hi. I'm Chuck Conrad. I am General Manager of KZQX-LP. That LP stands for low power. We're a small station in East Texas and in the year and a half that we've been on the air I have been amazed at what a difference it has made in our community. If the Commission wants to do something quickly and now, they can do this by simply authorizing more low-powered stations.

(Applause.)

You've blown the LP-10 window that you promised, I have — and apparently that's out the window, but you — when low-power FM was first proposed, you knew that you did not have to protect second adjacent channels — third adjacent channels, yet Congress made you go through the MITRE study, who said you don't have to do this. I think we all know that this is true. Translators don't do it.

So you can do something about this. And to make more channels available for low-powered community broadcasters, the simple thing to do is first look at the 3000 pound elephant that you just got this fall, the great translator invasion. Thirteen thousand, four hundred people or entities applied for translators. If a translator can go on that frequency, a community broadcaster can go on it. A satellite delivered translator offers nothing in the way of localism at all. There's great local stations out here, but they need some help. Thank you very much for your time.

(Applause.)

AUDIENCE MEMBER: Hello, and thank you for hearing me tonight. My name is Schuyler Chris

(phonetic). On a daily basis we lament the decay of our society. We cry for the young lives and the old lives lost due to senseless violence. Hearts ache for the young teenaged mothers. We peer into the hell of lives of those who are struck by sexually transmitted disease. We know these realities and know they are preventable if proper actions are taken.

It is true that we are what we eat. When you feed us garbage in every program, we become poisoned personally, and our society ultimately is trashed. To that end, I want to know what will the FCC do to clean up the programming that glamorizes the behaviors that lead to the sickening realities I just discussed.

In closing, I would like to simply state, take heed to what ye hear. That's what Mark said, the apostle during the time of Christ and a follower of Christ, chapter four, verse 24. Take heed what ye hear. I hope you will take that advice tonight.

(Applause.)

AUDIENCE MEMBER: Good evening. My name is David Katz and thank you all for staying this late. I sincerely appreciate it. I'm an independent record -- record label producer as well as an independent solo

musician.

As a part-time musician, I don't have time for the glamorous life of your average rock star, which is just fine with me. The drugs, the promiscuity and the partying until the sun comes up seems to be a common motif in most of today's cultural pop icons, which are saturated on the airwaves today.

I believe this is a self-perpetuating phenomenon caused by the codependent relationship between the record companies and the radio stations. This dependency is damaging to our society and leaves no room for growth in the industry other than monetary. It's completely unnecessary.

Larger conglomerate companies like Clear Channel Communications who own in excess of 1300 radio stations, 150 concert venues and 700 and — 700,000 billboards can easily promote effectively and profitably anyone or anything that they please, even local artists.

Why don't they? Maybe it's fear of change or of the unknown, or maybe it's because they wouldn't receive funding from third-party promotional agencies that are hired by the record companies in order to avoid payola or pay for play laws. The problem with

these loopholes is that even though the law technically is not broken is that the intention of the law is ignored and forgotten, and the intention is what's more important.

I'll wrap this up. In the interest of promoting localism in program broadcasting, I challenge the FCC to use the relationship — use your relationship with the radio stations to encourage them to include local and independent artists in their regular rotational air play, and I challenge the broadcasters, both local radio stations and corporate giants, to innovate new ideas and programming, spreading creativity and bringing the artistry back into music broadcasting. Thank you.

(Applause.)

AUDIENCE MEMBER: Good afternoon. Good afternoon, Chairman Powell and to the Commission and to the other fine people on the panel. I appreciate you're staying here tonight. As I listened to you on C-Span and saw how you went through some of the grilling on Congress, I know there's a lot of people on Capitol Hill that are concerned about these issues and I'm glad to see that my Congressional Number 28 representative's here tonight to hear the comments and

concerns that we have tonight.

I'd like to thank Mr. Freeman for his Zydeco music because one of my roommates at the University of Houston was one of the Tibideaux families; and, you know, the Tibideaux have a big presence in Louisiana. And I also would like to thank the NAACP for being here tonight, and also the comments of my friends Heather and Ms. Petty, about the east side of San Antonio.

I, as an African-American male, and my name is Charles English for the record, I am the President and founder of the Jefferson Heights Neighborhood Association. I also sit on board of representing Districts One and Two for the representative of the poor, and I'm a little concerned about what's happening and this is about communication.

And tonight I didn't find a packet for myself, but I had to pick up one off the floor. So, Commissioner, if we want to start communicating, let us start here in these types of hearings. And I think that if we pick things up off the floor, that's pretty much how I feel that my community on the East side is being treated when it comes to communication in this city.

So, I would say to you, Mr. Glade from Clear Channel, you can start by participating in National Night Out, when we come against crime and those types of drugs in our community. We want to see your presence in our community. And some of you others who are hear tonight hearing these fine people, do not let — don't go back to Washington unless you really are going to make a change, sir.

We really need an opportunity here. This is an opportunity to be heard, and there are no avenues for us to be heard. So, I had to come here tonight on a bit of urgency after the board meeting just to tell you tonight that the African-American male is being demonized across this country. And we need to change that, and the only way we can change that, if you give those of us who are doing good things in our community and our city to bring about a change, give us the opportunity to be heard, and thank you very much.

(Applause.)

AUDIENCE MEMBER; Mr. Chairman, Commissioners. I know y'all are tired just as much as everyone else. But I want to ask: What will your legacy be, the legacy of this Commission? Will it be the Commission that had the courage to stand up to the

well-heeled, well-financed, well-entrenched lobbyists in the communications industry that had their way and continued to have their way, despite of the — the voices of millions, not just these few, but millions of Americans who are depending on you and who are trusting you to do what is wise, what is good, and asking you to have the courage.

We realize the pressures on you are tremendous. The financial pressures — even as we speak, I know that the lobbyists for the industry are being arrogant, and confident that — let the people say what they will, we've got the inside track, we've got the connections, we've got the ears. Have courage. Let this be your legacy.

We — is it not a fact that at this time that there's pressure being brought to bear on the Commission to open up bandwidth in the sacred military and educational areas of the — higher gigahertz ranges to provide more and more efficient wireless Internet access service? I hear these on National Public Radio, Public Radio International, Texas Public Radio, BBC. Why should I have to hear those things there?

Many things, local radio, we've got good arguments pro and con. But what is the access and the

wisdom of having conglomerate ownership of so many licensed broadcasting stations unless it's for profit? And if it is so, then the more public people, the more public that can get involved and invest, maybe there's a positiveness to it. But when you have the largest corporation compared to the other two locally that are here, and there's between 25 to 30 percent higher per share value, the public citizen has to give to the smaller, too.

The multi-licensing and the other branches of their business present a closed circuit. There's no more time on the airwaves than what we have. There's no more band width on the frequencies than what are physically there. Regulating them, controlling them and the power is yours. It is yours.

All the laws made presently and the future, if they do not conform to the six orders of ordination of the U.S. Constitution in the preamble, then rules and regulations as well. It's your microphone, you control the time, I realize it, sir. But have this to be a legacy of courage. Don't be short sighted in thinking once you serve your time, and you've done your duty, public service, that you'll go on to become another well-heeled, well-financed,

well-entrenched lobbyist for the industry. Think further. Y'all will be our great leaders if you can stand up, sir. Thank you.

(Applause.)

AUDIENCE MEMBER: My name is Chris Peterson, and I've been a citizen of San Antonio all my life. First and foremost, I want to thank you for this opportunity to speak on behalf of San Antonio and the surrounding communities.

I think most of us can agree that in our society in America today two crucial elements that affect everyone of all ages is television and radio broadcasting. A lot of our culture is molded and shaped by what we perceive and process through these two key media outlets. For those of us who have been exposed to these media elements for over 20 years, we have seen quite a change in what is viewed and heard on a daily basis. There are many things that have been added that yesterday were considered obscene, and unfortunately, today, they have simply been deemed acceptable.

For most in this great country we live in, our most precious and valuable assets that we influence and educate is our children, our future. I think it is

essential that we stand up for our future and our children to say what is immoral yesterday is still immoral today. What was indecent then is indecent now, and what is unethical will always be unethical.

Gentlemen and ladies, your task in our society is one of great power and responsibility, and I pray you truly understand that the depth of your actions is the direct result of where our future is fashioned for years to come.

Thank you again for your time, and God bless you.

(Applause.)

AUDIENCE MEMBER: Hello. My name is Steve James. I would like to enter into the public record of these proceedings a 2001 report done by — a 2001 report done by the National Telecommunication Information Administration, under the Department of Commerce, a report titled "Minority Commercial Broadcasting Ownership in the United States." At the core of this report it states that because of media consolidation minority broadcast owners have had limited access to advertising dollars in a given market.

Also at — also at the rep — also the